

East Hampton Zoning Board of Appeals
Regular Meeting
August 13, 2012
Town Hall Meeting Room
7:00 P.M.
Approved Minutes

1. **Call to Order:** Chairman Nichols called the ZBA Meeting of August 13, 2012 to order at 7:05PM.
Members Present: Charles Nichols, Vice Chairman Brendan Flannery, Don Martin,
Alternate Members Present: Tom Keegan
Absent: Vincent Jacobson, Dennis Wall, Robert Hines and Lori Wilcox
Staff Present: James P. Carey, Administrator Planning, Zoning & Building, Michael Maniscalco, Town Manager.

2. **Seating of the Alternates:** Chairman Nichols seated alternate member Tom Keegan

3. **Legal Notice:** Mr. Carey read the legal into the record.
Mr. Flannery moved to approve the posted legal notice. Motion was seconded by Mr. Martin.

The motion carried unanimously.

4. **Approval of Minutes.**
 - a. **June 11, 2012 Regular Meeting:**
Mr. Flannery moved, and Mr. Martin seconded, to approve the minutes of the June 11, 2012 meeting.

The motion carried unanimously.

Mr. Carey advised the applicants that are before the ZBA this evening that they are at a disadvantage due to the 4 members that are absent. He advised the applicants that they would need a unanimous vote in favor in order for the applications to be approved. All applicants have the choice to continue their hearings until the next regular scheduled meeting. Hearing that, all applicants choose to move forward this evening with their applications.

5. **Application of John Robert Cooper, 2 South Main Street, for a proposed 2-lot subdivision, reduce the southern sideyard setback from 25' to 22' on Proposed Lot 1 and reduce the lot width from 150' to 148' and the Minimum Lot Frontage from 100' to 63.61' on Proposed Lot – Map 07A/Block 55/Lot 24;**

Mr. Cooper was before the ZBA to request a variance stating the lot is a U shape with an additional lot that has been cut out of it, which makes it difficult to maintain on the other side of the cut out. The purpose for the subdivision is to allow an additional building lot. Having this variance reduces the hardship from maintaining the current lot. The entire lot size before cut is 2.26 and the request for splitting is 1.24 and 1.03.

Chairman Nichols opened this hearing up for public comment:

Barry Newman, 4 Colchester Avenue, stated he felt it was a hard lot to maintain and was in favor of this sub division as he feels it will put a piece of property to good use.

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Mark Chambers, 10 South Main Street, provided the ZBA with a petition of signatures from abutting neighbors that are against this application. Mr. Chambers stated his concern with how the property values will be affected by this change in addition to the concern with their wells. Mr. Chambers felt the previous owner was able to maintain that property without any problems.

Linda Chambers, 10 South Main Street, expressed concern with the 100' frontage required on South Main Street, Mrs. Chambers stated her driveway is right to the property line which would provide a lack of privacy for their existing home. Mrs. Chambers stated that it being a wooded lot leaves for nothing to be maintained.

John Hines, South Main Street, stated he is not for or against this application, but requested clarification of the property. Mr. Hines felt that adding a home to this lot would be an asset to South Main Street as it currently sits as a lot that is not maintained.

Carl Sundell, 14 South Main Street, felt this proposal does not fit with the tenor of the neighborhood and is unclear of the stated hardship.

Robin Albertson Mahar, 6 South Main Street, purchased her home in 1992, and enjoys the wooded lots that surround her home.

Steve Linquest, 11 South Main Street, stated that there are zoning requirements in place in the town and the reasons they are in place.

Lary Trudo, Jr., 7 South Main Street, stated the lot is a very small and narrow wooded lot and does not agree with the hardship stated.

Mark Chambers, 10 South Main Street asked for clarification on an interior building lot as appose to a regular lot.

Mr. Cooper provided the agency members with a map of abutters on South Main Street stating that most of the frontage of the lots on the street are less than the required 100' frontage and felt this was consistent with the other properties on the street.

Mr. Flannery moved, and Mr. Martin seconded to close the public portion of this hearing.

The motion carried unanimously.

The members of the agency discussed the topography of the lot and the hardship before them.

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Mr. Flannery moved to approve application of John Robert Cooper, 2 South Main Street, for a proposed 2-lot subdivision, reduce the southern side yard setback from 25' to 22' on Proposed Lot 1 and reduce the lot width from 150' to 148' and the Minimum Lot Frontage from 100' to 63.61' on Proposed Lot – Map 07A/Block 55/Lot 24; stipulating any development on this site have the proper E&S measures be in place. Motion was seconded by Don Martin.

The motion carried unanimously.

6. Application of Daniel J. Wetmore, 25 Emerson Road, for a Variance to Reduce Rear-Yard Setback from 25' to 4' to Construct an Addition for a 3-Season Sun Porch - Map 10A/Block 7/Lot 114

Mr. Wetmore was before the agency requesting a variance to construct a 3 season porch stating the hardship being a non-conforming lot and placement of the existing home and garage.

Chairman Nichols opened this application up for public comment: Hearing none-

Mr. Flannery moved, and Mr. Martin seconded to close the public portion of this hearing.

The motion carried unanimously.

Mr. Martin moved to approve the Application of Daniel J. Wetmore, 25 Emerson Road, for a Variance to Reduce Rear-Yard Setback from 25' to 4' to Construct an Addition for a 3-Season Sun Porch - Map 10A/Block 7/Lot 114, stating the hardship is nonconforming placement of the other structures and this is to be a 3-Season room only. The motion was seconded by Mr. Flannery.

The motion carried unanimously.

7. Application of Alan Chadwick for 5 Sears Lane to reduce the Side yard Setback from 15' to 11' to construct a garage - Map 04A/Block 63B/Lot 14:

Mr. Chadwick was before the agency requesting a variance to construct a garage. Mr. Carey read into the record a letter that was received by Kathleen Smith, Kathleen Lynch, & Margaret Wilcox, dated July 28, 2012 stating they are not opposed to the construction of this garage. Full plans of the garage were presented to the members of the agency.

Chairman Nichols opened this application up for public comment: Hearing none-

Mr. Flannery moved, and Mr. Keegan seconded to close the public portion of this hearing.

The motion carried unanimously.

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Mr. Martin moved to approve the application of Alan Chadwick for 5 Sears Lane to reduce the Side yard Setback from 15' to 11' to construct a garage - Map 04A/Block 63B/Lot 14. The motion was seconded by Mr. Keegan.

The motion carried unanimously.

8. Old Business: None

9. Communications: Town Manager Michael Maniscalco addressed the Zoning Board of Appeals by thanking them for their dedication and commitment to the town.

10. New Business: None

11. Adjournment

Mr. Martin moved to adjourn the ZBA meeting. The motion was seconded by Mr. Flannery. The motion carried unanimously. Meeting Adjourned: 8:15PM.

Respectfully Submitted

Kamey Peterson
Recording Secretary